



March 16, 2007

ENGROSSED HOUSE BILL No. 1739

DIGEST OF HB 1739 (Updated March 13, 2007 11:16 am - DI 106)

Citations Affected: IC 10-13; IC 35-47; noncode.

Synopsis: Sale of handguns. Eliminates the requirement that a firearms dealer, after selling a handgun, must forward a copy of Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, completed and signed by a handgun purchaser, to the state police department. Establishes the criminal history data fund for the purpose of: (1) operating and maintaining the central repository for criminal history data; and (2) establishing, operating, and maintaining an electronic system for the processing of handgun license applications and renewals. Permits money in the fund to be used to establish, operate, and maintain an electronic log to record the sale of ephedrine and pseudoephedrine. Provides that certain handgun license fees will be deposited in the criminal history data fund, and repeals a provision requiring that certain handgun licensing fees be deposited in the general fund. Makes it a Class B misdemeanor to manufacture, possess, or sell a ballistic knife, and removes provisions making it illegal to manufacture, possess, or sell other knives with blades that open automatically.

Effective: July 1, 2007.

Pelath, Denbo, Murphy, Reske

(SENATE SPONSORS — NUGENT, STEELE)

January 26, 2007, read first time and referred to Committee on Public Policy.
February 20, 2007, amended, reported — Do Pass.
February 22, 2007, read second time, ordered engrossed.
February 23, 2007, engrossed.
February 26, 2007, read third time, passed. Yeas 99, nays 0.

SENATE ACTION

March 5, 2007, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

March 15, 2007, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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EH 1739—LS 6889/DI 69+



March 16, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1739

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-13-3-41 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 41. (a) The criminal history data fund is established**
4 **to provide funds for:**

5 (1) operating and maintaining the central repository for
6 criminal history data; and

7 (2) establishing, operating, and maintaining an electronic
8 system for the processing of handgun license applications and
9 renewals.

10 **In addition, at the discretion of the superintendent, the fund may**
11 **be used to establish, operate, or maintain an electronic log to**
12 **record the sale of drugs containing ephedrine or pseudoephedrine**
13 **in accordance with IC 35-48-4-14.7.**

14 (b) The fund shall be administered by the department.

15 (c) The expenses of administering the fund shall be paid from
16 **money in the fund.**

17 (d) The treasurer of state shall invest the money in the fund not

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EH 1739—LS 6889/DI 69+

1 **currently needed to meet the obligations of the fund in the same**
 2 **manner as other public money may be invested.**

3 **(e) Money in the fund at the end of a state fiscal year does not**
 4 **revert to the state general fund.**

5 SECTION 2. IC 35-47-2-3, AS AMENDED BY P.L.190-2006,
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2007]: Sec. 3. (a) A person desiring a license to carry a
 8 handgun shall apply:

9 (1) to the chief of police or corresponding law enforcement officer
 10 of the municipality in which the applicant resides;

11 (2) if that municipality has no such officer, or if the applicant does
 12 not reside in a municipality, to the sheriff of the county in which
 13 the applicant resides after the applicant has obtained an
 14 application form prescribed by the superintendent; or

15 (3) if the applicant is a resident of another state and has a regular
 16 place of business or employment in Indiana, to the sheriff of the
 17 county in which the applicant has a regular place of business or
 18 employment.

19 The superintendent and local law enforcement agencies shall allow an
 20 applicant desiring to obtain or renew a license to carry a handgun to
 21 submit an application electronically under this chapter if federal funds
 22 are available to establish and maintain an electronic application system.

23 (b) The law enforcement agency which accepts an application for a
 24 handgun license shall collect the following application fees:

25 (1) From a person applying for a four (4) year handgun license, a
 26 ten dollar (\$10) application fee, five dollars (\$5) of which shall be
 27 refunded if the license is not issued.

28 (2) From a person applying for a lifetime handgun license who
 29 does not currently possess a valid Indiana handgun license, a fifty
 30 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
 31 refunded if the license is not issued.

32 (3) From a person applying for a lifetime handgun license who
 33 currently possesses a valid Indiana handgun license, a forty dollar
 34 (\$40) application fee, thirty dollars (\$30) of which shall be
 35 refunded if the license is not issued.

36 Except as provided in subsection (h), the fee shall be deposited into the
 37 law enforcement agency's firearms training fund or other appropriate
 38 training activities fund and used by the agency to train law enforcement
 39 officers in the proper use of firearms or in other law enforcement
 40 duties, or to purchase firearms or firearm related equipment, or both for
 41 the law enforcement officers employed by the law enforcement agency.
 42 The state board of accounts shall establish rules for the proper

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accounting and expenditure of funds collected under this subsection.

(c) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's reason for desiring a license. The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent.

(d) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

(e) If it appears to the superintendent that the applicant:

(1) has a proper reason for carrying a handgun;

(2) is of good character and reputation;

(3) is a proper person to be licensed; and

(4) is:

(A) a citizen of the United States; or

(B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;

the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least four (4) years in the case of a four (4) year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A four (4) year license shall be valid for

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a period of four (4) years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have been honorably retired by a lawfully created pension board or its equivalent after twenty (20) or more years of service, shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

(f) At the time a license is issued and delivered to a licensee under subsection (e), the superintendent shall include with the license information concerning handgun safety rules that:

(1) neither opposes nor supports an individual's right to bear arms; and

(2) is:

(A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;

(B) prepared by the state police department; and

(C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

(g) A license to carry a handgun shall not be issued to any person who:

(1) has been convicted of a felony;

(2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;

(3) is under eighteen (18) years of age;

(4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; or

(5) has been arrested for a Class A or Class B felony, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged.

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in

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connection with the administration of this chapter.

(h) If the law enforcement agency that charges a fee under subsection (b) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

(i) If a person who holds a valid license to carry a handgun issued under this chapter:

(1) changes the person's name;

(2) changes the person's address; or

(3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

(j) The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection (i).

(k) The state police department shall adopt rules under IC 4-22-2 to implement an electronic application system under subsection (a). Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

SECTION 3. IC 35-47-2-4, AS AMENDED BY P.L.190-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) Licenses to carry handguns shall be either qualified or unlimited, and are valid for:

(1) four (4) years from the date of issue in the case of a four (4) year license; or

(2) the life of the individual receiving the license in the case of a lifetime license.

A qualified license shall be issued for hunting and target practice. The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) In addition to the application fee, the fee for:

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(1) a qualified license shall be:

(A) five dollars (\$5) for a four (4) year qualified license;

(B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; or

(C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and

(2) an unlimited license shall be:

(A) thirty dollars (\$30) for a four (4) year unlimited license;

(B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; or

(C) sixty **dollars** (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (e).

(c) Licensed dealers are exempt from the payment of fees specified in subsection (b) for a qualified license or an unlimited license.

(d) The following officers of this state or the United States who have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in subsection (b):

(1) Police officers.

(2) Sheriffs or their deputies.

(3) Law enforcement officers.

(4) Correctional officers.

(e) Fees collected under this section shall be deposited in the ~~state general fund~~ **criminal history data fund established by IC 10-13-3-41.**

(f) The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a four (4) year qualified license or a four (4) year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

SECTION 4. IC 35-47-2.5-3, AS AMENDED BY P.L.190-2006, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2007]: Sec. 3. ~~(a)~~ A person purchasing a handgun from a dealer shall complete and sign Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473.

(b) ~~The dealer shall forward a copy of the Form 4473 signed by the purchaser to the state police department before the last day of the month following the sale.~~

SECTION 5. IC 35-47-2.5-12, AS AMENDED BY P.L.190-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. A person who knowingly or intentionally makes a materially false statement on Form 4473 completed ~~and forwarded~~ under section 3 of this chapter commits a Class D felony.

SECTION 6. IC 35-47-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. It is a Class B misdemeanor for a person to **knowingly or intentionally** manufacture, possess, display, offer, sell, lend, give away, or purchase ~~any knife with a blade that:~~

(1) ~~opens automatically; or~~

(2) ~~may be propelled;~~

~~by hand pressure applied to a button; device containing gas; spring; or other device in the handle of the knife: a ballistic knife.~~

SECTION 7. IC 10-13-3-40 IS REPEALED [EFFECTIVE JULY 1, 2007].

SECTION 8. [EFFECTIVE JULY 1, 2007] **IC 35-47-5-2, as amended by this act, applies only to crimes committed after June 30, 2007.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1739, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure and to make an appropriation.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 10-13-3-41 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 41. (a) The criminal history data fund is established to provide funds for:**

- (1) operating and maintaining the central repository for criminal history data; and**
- (2) establishing, operating, and maintaining an electronic system for the processing of handgun license applications and renewals.**

In addition, at the discretion of the superintendent, the fund may be used to establish, operate, or maintain an electronic log to record the sale of drugs containing ephedrine or pseudoephedrine in accordance with IC 35-48-4-14.7.

(b) The fund shall be administered by the department.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 2. IC 35-47-2-3, AS AMENDED BY P.L.190-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 3. (a) A person desiring a license to carry a handgun shall apply:**

- (1) to the chief of police or corresponding law enforcement officer of the municipality in which the applicant resides;**
- (2) if that municipality has no such officer, or if the applicant does not reside in a municipality, to the sheriff of the county in which the applicant resides after the applicant has obtained an application form prescribed by the superintendent; or**
- (3) if the applicant is a resident of another state and has a regular place of business or employment in Indiana, to the sheriff of the**

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county in which the applicant has a regular place of business or employment.

The superintendent and local law enforcement agencies shall allow an applicant desiring to obtain or renew a license to carry a handgun to submit an application electronically under this chapter if federal funds are available to establish and maintain an electronic application system.

(b) The law enforcement agency which accepts an application for a handgun license shall collect the following application fees:

(1) From a person applying for a four (4) year handgun license, a ten dollar (\$10) application fee, five dollars (\$5) of which shall be refunded if the license is not issued.

(2) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar (\$50) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.

(3) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar (\$40) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.

Except as provided in subsection (h), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms or firearm related equipment, or both for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(c) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's reason for desiring a license. The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the

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application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent.

(d) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

(e) If it appears to the superintendent that the applicant:

- (1) has a proper reason for carrying a handgun;
- (2) is of good character and reputation;
- (3) is a proper person to be licensed; and
- (4) is:
 - (A) a citizen of the United States; or
 - (B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;

the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least four (4) years in the case of a four (4) year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A four (4) year license shall be valid for a period of four (4) years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have been honorably retired by a lawfully created pension board or its equivalent after twenty (20) or more years of service, shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

(f) At the time a license is issued and delivered to a licensee under subsection (e), the superintendent shall include with the license information concerning handgun safety rules that:

- (1) neither opposes nor supports an individual's right to bear arms; and
- (2) is:
 - (A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use

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- of firearms;
- (B) prepared by the state police department; and
- (C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

(g) A license to carry a handgun shall not be issued to any person who:

- (1) has been convicted of a felony;
- (2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;
- (3) is under eighteen (18) years of age;
- (4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; or
- (5) has been arrested for a Class A or Class B felony, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged.

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter.

(h) If the law enforcement agency that charges a fee under subsection (b) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

(i) If a person who holds a valid license to carry a handgun issued under this chapter:

- (1) changes the person's name;
- (2) changes the person's address; or
- (3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2),

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notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

(j) The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection (i).

(k) The state police department shall adopt rules under IC 4-22-2 to implement an electronic application system under subsection (a). Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

SECTION 3. IC 35-47-2-4, AS AMENDED BY P.L.190-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) Licenses to carry handguns shall be either qualified or unlimited, and are valid for:

- (1) four (4) years from the date of issue in the case of a four (4) year license; or
- (2) the life of the individual receiving the license in the case of a lifetime license.

A qualified license shall be issued for hunting and target practice. The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) In addition to the application fee, the fee for:

- (1) a qualified license shall be:
 - (A) five dollars (\$5) for a four (4) year qualified license;
 - (B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; or
 - (C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and
- (2) an unlimited license shall be:
 - (A) thirty dollars (\$30) for a four (4) year unlimited license;
 - (B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; or
 - (C) sixty **dollars** (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

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The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (e).

(c) Licensed dealers are exempt from the payment of fees specified in subsection (b) for a qualified license or an unlimited license.

(d) The following officers of this state or the United States who have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in subsection (b):

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers.
- (4) Correctional officers.

(e) Fees collected under this section shall be deposited in the ~~state general fund~~ **criminal history data fund established by IC 10-13-3-41.**

(f) The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a four (4) year qualified license or a four (4) year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter."

Page 2, delete lines 1 through 11.

Page 2, line 14, delete "Notwithstanding any other law, a" and insert "A".

Page 2, line 15, reset in roman "complete and sign Bureau of".

Page 2, reset in roman line 16.

Page 2, line 19, delete "consent in writing, on a form to be".

Page 2, delete lines 20 through 42.

Delete pages 3 through 4.

Page 5, delete lines 1 through 20.

Page 5, line 24, reset in roman "Form 4473 completed".

Page 5, line 25, reset in roman "under".

Page 5, line 25, delete "the consent form required by".

Page 5, line 27, delete "IC 35-47-2.5-2.5" and insert "IC 10-13-3-40".

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Page 5, delete lines 29 through 31.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1739 as introduced.)

VAN HAAFTEN, Chair

Committee Vote: yeas 9, nays 0.

SENATE MOTION

Madam President: I move that Senator Steele be added as cosponsor of Engrossed House Bill 1739.

NUGENT

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1739, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 7, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 6. IC 35-47-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. It is a Class B misdemeanor for a person to **knowingly or intentionally** manufacture, possess, display, offer, sell, lend, give away, or purchase ~~any knife with a blade that:~~

(1) opens automatically; or

(2) ~~may be propelled;~~

by hand pressure applied to a button; device containing gas; spring; or other device in the handle of the knife: **a ballistic knife.**".

Page 7, after line 13, begin a new paragraph and insert:

"SECTION 8. [EFFECTIVE JULY 1, 2007] **IC 35-47-5-2, as**

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amended by this act, applies only to crimes committed after June 30, 2007."

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1739 as printed February 20, 2007.)

STEELE, Chairperson

Committee Vote: Yeas 10, Nays 0.

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